

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
ASHEVILLE DIVISION  
CIVIL CASE NO. 1:17-cv-00341-MR-WCM

UNITED STATES OF AMERICA and )  
STATE OF NORTH CAROLINA *ex rel.* )  
DARRYL LANDIS, M.D., )  
Plaintiffs, )  
vs. ) **ORDER OF DISMISSAL**  
GENOVA DIAGNOSTICS, INC.; )  
GNVA HOLDINGS, INC.; GNVA )  
EQUITY HOLDCO, INC.; LEVINE )  
LEICHTMAN CAPITAL PARTNERS )  
V, L.P.; LAUREN LEICHTMAN; )  
AARON PERLMUTTER; CHRIS )  
SMITH; and JOHN DOES 1-10, )  
Defendants. )  
\_\_\_\_\_  
)

**THIS MATTER** is before the Court on the Stipulation of Dismissal of Claims against Defendants filed by the United States and the Relator, Darryl Landis, M.D. pursuant to the False Claims Act, 31 U.S.C. § 3730(b)(1) and Rule 41(a) of the Federal Rules of Civil Procedure [Doc. 39] and the State of North Carolina's Consent to Dismissal of Claims against Defendants [Doc. 40].

Upon review of the Stipulation of Dismissal; the Settlement Agreement executed by the United States, Relator, and Genova

Diagnostics, Inc.; the State of North Carolina's Consent; and the entire record of this cause, the Court hereby enters the following Order.

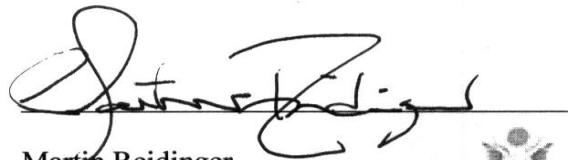
**IT IS, THEREFORE, ORDERED:**

- (1) The Court approves the dismissal of this action pursuant to Fed. R. Civ. P. 41(a)(1)(A)(i) and 31 U.S.C. § 3730(b)(1);
- (2) All claims and causes of action set forth in the *Qui Tam* Complaint are **DISMISSED WITH PREJUDICE** as to the Relator;
- (3) All claims and causes of action set forth in the *Qui Tam* Complaint and brought on behalf of the United States against Defendant Genova for the "Covered Conduct," as that term is specifically defined in Paragraph E of the April 20, 2020 Settlement Agreement between the United States, Relator and Genova Diagnostics, Inc., are hereby **DISMISSED WITH PREJUDICE** as to the United States;
- (4) All other claims against Genova Diagnostics, Inc. and all claims against any other Defendant named herein are **DISMISSED WITHOUT PREJUDICE** to the United States; and
- (5) All claims and causes of action set forth in the *Qui Tam* Complaint and brought on behalf of the State of North Carolina against the Defendants are hereby **DISMISSED WITHOUT PREJUDICE** as to the State of North Carolina.

The Clerk of the Court is respectfully directed to provide an executed copy of this Order to counsel for the United States, counsel for the State of North Carolina, counsel for Relator, and counsel for Genova Diagnostics, Inc., Arthur J. Fried.

**IT IS SO ORDERED.**

Signed: April 29, 2020



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Martin Reidinger  
United States District Judge

